

R E M A R K S

- Claims **291-299 and 301-337** are currently pending;
- Claims **291-299 and 301-337** stand rejected;
- Claims **291, 295, 328-332 and 335-337** are amended;
- Claim **338** is new;
- No new matter has been added;
- Of the pending claims, only claims **291, 295, 328-332 and 335-337** are independent;
- Claims **291-299 and 301-338** are in condition for allowance.

1. Claim Rejections – Section 102(e)

Claims **291, 293-299, 301, 309, 310, 314, 318, 322, 323 and 326** stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,251,017 to Leason. (“Leason” herein). Applicants respectfully traverse these rejections for the reasons set forth below.

1.1 Independent claims 291 and 295

Leason does not teach or suggest the following feature of claim **291**:

- *wherein the at least one of the at least one unlock code was applied to at least one of the at least one locked outcome to produce an outcome.*

With regards to claim 291, the Examiner asserted that Leason discloses “generating a plurality of locked outcomes (column 6, Table A; column 8, Table B; Figures 8 and 10); generating, for each of the plurality of locked outcomes, a respective unlock code capable of unlocking the locked outcome (column 6, Table A; column 8, Table B; Figures 7-10); transmitting at least one of the plurality of locked outcomes to a device of a user (Figures 8 and 10); … Also, in regards to claims 291 and 295, please see citations (col 9, lines 20-36 and col 10, lines 10-60). Notice in these citations (col 9, lines 20-36 and col 10, lines 10-60) and in the above citations (Figures 7-10; Tables A and B; col 12, lines 5-15) that the locked outcome information is kept in the Tables A and B. And the locked outcome is presented via the GUI/Interner/Website in Figures 8 and 10. And, that the identifiers 706 (figure 7), 906 (Figure 9), 1002 (Figure 10) identify the specific outcome/lottery/prize that is locked. And, the user receives the unlock code via the receipt/game card of Figures 7 and 9 (items 702 and 908). And, the user presents the unlock code to Figures 8 and 10 in order to unlock the outcome.” (Office Action, pages 4-5).

Applicants proceed to ascertain the meaning of the Examiner’s assertions as follows. In the Response to Arguments section, the Examiner clearly states that “Figure 4 of Leason discloses the master code and the subcode. The master code functions as the locked outcome and the subcode as the unlock code. In figure 9, item 906 acts as the locked outcome and item 908 as the unlock code (Also See col 10, lines 15-20; col 10, lines 33-45). In Figure 10, there is the master code which functions as the locked outcome and the items 1004 which is the sub-code which functions as the unlock code. Notice that the Applicant’s independent claims 291 and 295 do not state the order when the locked outcomes and unlock codes are provided

in relation to each other. That is, the locked outcome and unlock code could be provided at the same time. Also, the claims do not state how the locked outcome is hidden. Leason Table A (column 6, Table A) discloses that the outcome associated with the Master-Code is locked until the Sub-Code or unlock code is provided. Then, the e-points or prize that is associated with that Master-Code is revealed. Hence, the outcome associated with the master-code item 402 of Figure 4 is locked or hidden until the appropriate unlock code or sub code is entered.” (Office Action, pages 13-14).

It is clear from the above that the Examiner rather arbitrarily interprets the master-code and sub-code of Leason to be equivalent to the claimed locked outcome and outcome code, respectively. Assuming, arguendo, such an equivalence to be proper, it is unclear the relevance of the purported “associated” outcome comprising the e-points or prize. Regardless, once again, assuming, arguendo, the Examiner’s assertions to be proper, it is evident, according to the Examiner, that the master-code and sub-code serve, at most, as keys in Tables A and B used to access an outcome, such as the value in the column labeled “e-points”. In short, Leason reveals no manner in which the master-code can be applied to the sub-code to produce an outcome.

In the interest of expediting prosecution, claim **291** has been amended to clearly recite “*wherein the at least one of the at least one unlock code was applied to at least one of the at least one locked outcome to produce an outcome.*” As is evident from above, the master-code and sub-code of Leason are nowhere applied one to the other to produce anything. As a result of this amendment, claim **291** is in condition for allowance.

With reference to claim **295**, claim **295** has been amended to recite language similar to that of claim **291**. Specifically, claim **295** has been

amended to make clear that the unlock code *when applied to the lottery outcome unlocks the lottery outcome*. For the reasons discussed above with reference to claim 291, claim 295 is likewise in condition for allowance. As all of claims 293-294, 296-299, 301, 309, 310, 314, 318, 322, 323 and 326 depend upon claims 291 and 295 and incorporate all of the limitations thereof, claims 293-294, 296-299, 301, 309, 310, 314, 318, 322, 323 and 326 are likewise in condition for allowance.

2. Claim Rejections – Section 103(a)

Claims 292, 302, 315, 319, 320, 324, 325, 327-334, 335-337 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Leason. Applicants respectfully traverse these rejections for the reasons set forth below.

Applicants note that all of claims 292, 302, 315, 319, 320, 324, 325 and 327 depend upon claims 291 and 295 and incorporate all of the limitations thereof. Therefore, for the reasons discussed above, claims 292, 302, 315, 319, 320, 324, 325 and 327 are in condition for allowance. Applicants further note that all of independent claims 328-332 and 335-337 have been amended to add clarifying language substantially similar to that discussed above with reference to claims 291 and 295 and, for the reasons discussed above are likewise in condition for allowance. Applicants further note that, as claims 333 and 334 depend upon claim 332 and incorporate all of the limitations thereof, claims 333 and 334 are likewise in condition for allowance.

Claims **303, 316 and 317** stand rejected as being unpatentable over Leason in view of Klayh (20030050831)(Hereinafter, “Klayh”). Claims **304-307, 311-312** stand rejected as being unpatentable over Leason in view of Goldhaber (U.S. 5,794,210)(Hereinafter, “Goldhaber”). Claims **308 and 313** stand rejected as being unpatentable over Leason in view of Hiroshi (JP05101236A)(Hereinafter, “Hiroshi”). Claims **321 and 327** stand rejected as being unpatentable over Leason in view of Herz (20060069749)(Hereinafter, “Herz”).

Applicants assert that all of claims **303-308, 311-313, 316, 317, 321 and 327** depend on claims **291 and 295**. Applicants further assert that neither Klayh, nor Goldhaber, nor Hiroshi, nor Herz teach the elements added by amendment herein to claims **291 and 295** and discussed above. As a result, all of claims **303-308, 311-313, 316, 317, 321 and 327** are condition for allowance.

C O N C L U S I O N

For the foregoing reasons it is submitted that all of claims **291-299 and 301-338** are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Jeffrey Ambroziak at telephone number (203) 461-7317 or via electronic mail at jambroziak@walkerdigital.com.

A petition for a two month extension of time is required at this time and is filed herewith. If any additional fee should be necessary for the present Application at this time (or any time during the prosecution of the present Application), please charge any such required fee to our Deposit Account No. 50-0271. Please credit any overpayment to Deposit Account No. 50-0271.

Respectfully submitted,

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Date

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